

***** T O P S E C R E T *****S COPY

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FM COL GUAY HAKTO 13

TO THE SITUATION ROOM

T O P S E C R E T SENSITIVE EXCLUSIVELY EYES ONLY

HAKTO 13
DECEMBER 5, 1972
TO: KENNEDY --FLASH--
FROM: KISSINGER
REF: TOHAK 25 AND 28

PLEASE PASS THE FOLLOWING MESSAGE IMMEDIATELY TO THE
PRESIDENT. BEGIN TEXT.

1. THANK YOU FOR YOUR VERY CONSIDERATE MESSAGES. I
DON'T BELIEVE THERE IS A NEED TO TALK TO ADMIRAL MOORER UNTIL
I GET BACK. WE ARE READY TO MOVE MILITARILY ON VERY SHORT
NOTICE IN ANY EVENT. I BELIEVE SUSPENSION OF THE NEGOTIATIONS
FOR A COUPLE OF DAYS AND MY RETURN TO WASHINGTON WOULD GENERATE
A CRISIS ATMOSPHERE THAT WOULD ONLY WORK AGAINST US AND
STRENGTHEN HANOI'S HAND. THE POSTPONEMENT OF THE MEETING
UNTIL TOMORROW SHOULD ALLOW ENOUGH TIME FOR ANY HELP WE
MIGHT GET FROM PEKING AND MOSCOW AS THE RESULT OF OUR
REPRESENTATIONS AND GIVE HANOI ENOUGH TIME TO RECONSIDER
WHERE WE ARE.

2. ASSUMING THE NEGOTIATIONS DO BREAK OFF, HERE ARE MY
FURTHER THOUGHTS ON OUR COURSE OF ACTION. WE WILL HAVE TO
TAKE THE INITIATIVE BOTH ON THE MILITARY FRONT, BY DRASTICALLY
STEPPING UP THE BOMBING, AND ON THE PUBLIC RELATIONS FRONT,
BY SEIZING THE INITIATIVE WITH RESPECT TO EXPLAINING THE
NEGOTIATIONS. I SHOULD OF COURSE GIVE A DETAILED BRIEFING
ON THE NEGOTIATING RECORD WHICH I WILL MAKE AS IMPECCABLE
AS POSSIBLE FROM OUR STANDPOINT BEFORE ANY BREAKDOWN. WE
HAVE A STRONG CASE.

3. I STILL BELIEVE HOWEVER THAT PRECISELY BECAUSE WE
ARE AT A CRITICAL JUNCTURE WE WILL NEED A PERSONAL ADDRESS
BY YOU TO THE AMERICAN PEOPLE. WE OBVIOUSLY FACE A MAJOR
DOMESTIC PROBLEM AND WE SHOULD START OUT STRONGLY IN ORDER
TO GET ON TOP OF IT -- ESPECIALLY AS WE CAN EXPECT HANOI TO
LAUNCH A BROADSIDE. THUS I THINK IT IS IMPERATIVE THAT
YOU TALK BRIEFLY FOR 10 TO 15 MINUTES WITH CALMNESS, REASON-
ABLENESS AND DETERMINATION. I WOULD THEN FOLLOW UP NEXT
DAY WITH THE DETAILS OF THE RECORD. I FULLY AGREE WITH YOU

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THAT THE AMERICAN PEOPLE MUST BE GIVEN HOPE THAT THIS SITUATION IS NOT OPEN-ENDED AND THAT WE ARE CLOSE TO THE END OF OUR INVOLVEMENT. THIS YOU CAN DO IN YOUR ADDRESS BY STATING CLEAR ACHIEVABLE

OBJECTIVES WHICH WOULD ESSENTIALLY ADD UP TO TRADING THE END OF OUR INVOLVEMENT FOR THE RELEASE OF OUR PRISONERS. WE WOULD SAY THAT WE HAD MADE A MAXIMUM EFFORT TO ARRANGE A COMPREHENSIVE PEACE FOR ALL PARTIES BUT THAT IT PROVED IMPOSSIBLE TO GET THE VIETNAMESE TOGETHER. IT WAS NOW UP TO THEM TO SETTLE THEIR ISSUES. THIS SEEMS TO BE WHAT THIEU PREFERS AND THE EXTRA TIME WE HAVE BOUGHT, AND WILL BUY, WOULD ALLOW THE GVN TO SURVIVE ON ITS OWN. AS FOR MOSCOW AND PEKING, WE WILL IN ANY EVENT FACE PROBLEMS WITH THEM, AND YOUR MESSAGE CAN BE PHRASED SO AS NOT TO DIRECTLY CHALLENGE THEM. AS ALWAYS, WE WILL HAVE TO WORK INTENSIVELY WITH THEM BEHIND THE SCENES.

4. I AGREE WITH YOU THAT YOUR APPEAL SHOULD NOT BE MELODRAMATIC AND SHOULD MAKE CLEAR THAT WE ARE NEARING THE END OF OUR INVOLVEMENT. YOUR SPEECH COULD CONTAIN THE FOLLOWING ELEMENTS:

-- FIRST, YOU WOULD EXPLAIN WHY THE NEGOTIATIONS DID NOT SUCCEED IN OCTOBER. AT THE MOMENT OF CULMINATION AND WHEN WE WERE CONSULTING WITH OUR ALLIES: (1) HANOI PUT OUT PUBLIC INFORMATION, I.E. PHAM VAN DONG'S INTERVIEW IN NEWSWEEK, THAT MISREPRESENTED THE POLITICAL PROVISIONS AS A COALITION GOVERNMENT; AND (2) WE SAW CONCLUSIVE EVIDENCE OF HANOI'S INSTRUCTIONS TO ITS FORCES TO MAKE A MAJOR MILITARY OFFENSIVE PRECISELY AT THE TIME THE CEASEFIRE WOULD GO INTO EFFECT. THESE ACTIONS, PLUS THE GENERAL REQUIREMENT TO TAKE OUR ALLY'S CONCERNS INTO ACCOUNT, MEANT THAT WE NEEDED ANOTHER MEETING WITH THE DRV IN ORDER TO CLEAR UP THE AMBIGUITIES IN THE AGREEMENT.

-- THE PURPOSES OF THIS ADDITIONAL ROUND WERE AS FOLLOWS:

. TO GET INTERNATIONAL MACHINERY IN PLACE SO THAT THE CEASEFIRE WOULD BE EFFECTIVE AND THE AGREEMENT WOULD NOT IMMEDIATELY BREAK DOWN, THUS SETTING BACK THE CHANCES FOR A STABLE PEACE.

. TO MAKE CLEAR IN THE AGREEMENT, WHAT HANOI HAD REPEATEDLY EMPHASIZED IN OUR MEETINGS, NAMELY THAT THE NATIONAL COUNCIL WAS IN NO WAY A COALITION GOVERNMENT. OUR OPPOSITION TO A COALITION GOVERNMENT HAD BEEN A CARDINAL ELEMENT OF OUR POSITION OVER THE YEARS AND WE WOULD ACCEPT NO AMBIGUITY ON THIS POINT. INDEED THIS WAS WHAT THE OCTOBER 8 BREAKTHROUGH WAS ALL ABOUT IN THE FIRST PLACE.

. WHILE WE WERE NOT INSISTING ON MUTUAL WITHDRAWAL, WE HAD ALWAYS MAINTAINED THE PRINCIPLE THAT HANOI DID NOT HAVE AN UNLIMITED RIGHT TO KEEP ITS FORCES IN THE SOUTH INDEFINITELY AND WE HAD PROPOSED SOME DE FACTO WITHDRAWALS. THESE WERE POSITIONS WE HAD NEVER WITHDRAWN AND WE WISHED TO CLARIFY THESE ISSUES.

-- WITH GOOD WILL THESE QUESTIONS SHOULD HAVE BEEN RESOLVED IN

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THREE OR FOUR DAYS. WE MADE ENORMOUS EFFORTS LAST WEEK AND THIS WEEK, CONTINUALLY PARING OUR DEMANDS TO THE MINIMUM. YOU GAVE ME FIRM INSTRUCTIONS TO SETTLE ONCE WE HAD OUR MINIMUM REQUIREMENTS. SAIGON CLEARLY HAD NO VETO.

-- WE RAN INTO TOTAL INTRANSIGENCE BY HANDI, HOWEVER. AFTER AGREEING TO SOME IMPROVEMENTS IN THE TEXT LAST WEEK AND THEREFORE CONCEDED IN PRINCIPLE THAT THE OCTOBER AGREEMENT WAS NOT FINAL, HANDI DID AN ABOUT-FACE THIS WEEK. THEY GAVE US THE CHOICE OF RETURNING TO THE OCTOBER TEXT OR ACCEPTING A WORSE AGREEMENT BY VIRTUE OF ITS NEW DEMANDS. THEY REFUSED TO USE THE CORRECT TRANSLATION FOR THE PHRASE "ADMINISTRATIVE STRUCTURE" WHICH THEY THEMSELVES HAD GIVEN US IN ENGLISH. THEY TOTALLY REFUSED A WHOLE SERIES OF FORMULATIONS WE OFFERED IN ORDER TO ESTABLISH THE PRINCIPLE THAT THEY DO NOT HAVE THE RIGHT TO KEEP THEIR FORCES IN THE SOUTH INDEFINITELY. THE MORE WE TRIED TO ELABORATE PRINCIPLES AGREED UPON IN OCTOBER THE MORE WE SAW THAT HANDI WAS BENT ON DISTORTING AND UNDERMINING THE AGREEMENT.

-- THUS THE NEGOTIATIONS DID NOT BREAK DOWN BECAUSE OF SAIGON'S OBJECTIONS. WE NEVER GOT TO THAT POINT BECAUSE OF HANDI'S UNREASONABLENESS. IF WE HAD GOTTEN THE MINIMUM CHANGES AND CLARIFICATIONS THAT WE CONSIDERED NECESSARY, WE WOULD HAVE PROCEEDED TO SIGN THE AGREEMENT DESPITE SAIGON'S POSITIONS.

-- YOU HAD ALWAYS SAID THAT WE WOULD GIVE THE GVN A REASONABLE CHANCE TO SURVIVE. HANDI'S ATTITUDE AND POSITIONS DID NOT GIVE US THIS MINIMUM REQUIREMENT. THEREFORE YOU INSTRUCTED ME TO RETURN HOME.

-- THE U.S. MADE A MAXIMUM EFFORT TO ARRANGE A COMPREHENSIVE SETTLEMENT TO BRING PEACE TO ALL PARTIES. WE HAVE LEARNED THAT IT IS IMPOSSIBLE TO NEGOTIATE CEASEFIRE CONDITIONS AND POLITICAL ARRANGEMENTS AGREEABLE TO BOTH SIDES. VIETNAMIZATION HAS HAD SUFFICIENT TIME TO WORK AND THE GVN CAN NOW STAND ON ITS OWN. WE ARE THEREFORE PREPARED TO DISENGAGE COMPLETELY AND MAKE A STRICTLY MILITARY SETTLEMENT WITH HANDI. WE MUST HAVE OUR PRISONERS BACK AND WE WILL STEP UP OUR MILITARY ACTIONS UNTIL WE HAVE ACHIEVED THIS SINGLE REMAINING OBJECTIVE.

5. THESE ARE ISSUES THAT THE AMERICAN PEOPLE CAN UNDERSTAND, AS SHOWN BY THE HARRIS POLL, AND I AM CONFIDENT THAT YOU CAN RALLY THEM ONCE AGAIN. IT WOULD BE CLEAR THAT WE MADE A MAXIMUM EFFORT TO ARRANGE A COMPREHENSIVE SETTLEMENT AMONG ALL THE PARTIES BUT THAT THIS WAS IMPOSSIBLE. HAVING FAILED IN THIS EFFORT, AND HAVING BOUGHT ENOUGH TIME AND GIVEN ENOUGH STRENGTH TO OUR ALLIES, THE ONLY REMAINING TASK IS TO PURSUE A FIRM POLICY UNTIL WE GET OUR MEN BACK AND CAN DISENGAGE WITH HONOR. I BELIEVE YOU COULD CONVEY THIS MESSAGE IN CLEAR AND SIMPLE TERMS IN A 10 TO 15 MINUTE SPEECH. I WOULD THEN FOLLOW UP WITH THE SPECIFICS AND WE WOULD TAKE AGGRESSIVE ACTION ON BOTH THE MILITARY AND PROPAGANDA PLANES.

WARM REGARDS. END TEXT

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